REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed June 29, 2005.

Currently, claims 18-20, 37-39 and 41-43 are pending. Applicants have amended claim 37 and claim 41. Applicants respectfully request reconsideration of all pending claims.

I. Written Statement of the Substance of Interview

The Examiner is thanked for granting Applicants' representatives the opportunity to discuss the application and the USPTO's position relating thereto during a telephonic interview on October 25, 2005. During that Interview, claim 37; U.S. Patent No. 5,892,554 (*"DiCicco"*); and U.S. Patent No. 5,264,933 (*"Rosser"*) were discussed. Applicants proposed amending claim 37 by adding the following language: "said step of adding includes determining whether said video includes an occlusion of said location's position using image analysis." The Examiner agreed that the proposed limitation distinguished the cited prior art. However, the Examiner reserved the right to perform a further search and to reconsider.

II. Rejection of Claims 37, 38, 39, and 41-43 under 35 U.S.C. § 103(a)

Claims 37, 38, 39 and 41-43 were rejected under 35 U.S.C. § 103 as being unpatentable over *DiCiccio* in view of *Rosser*. Because the prior art, alone or in combination, does not disclose all of the limitations of Applicants' claims, Applicants assert that these claims are patentable over the cited prior art.

A. Claim 37

As discussed during the above-referenced interview, the amendment to claim 37 distinguishes claim 37 from the cited prior art. Therefore, Applicants assert that claim 37 is in condition for allowance.

B. Claims 38 and 39

Claim 38 recites "sensing field of view data for a camera using one or more field of view sensors that do not use image recognition ... determining said location's position in said video using said field of view data; and ... adding said line to one or more portions of said video that are not occluded and not adding said line to one or more portions of said video that are occluded " Thus, claim 38 recites a method that uses field of view data from sensors to add a line to video, and that line is not added to portions of the video where there is an occlusion. None of the systems in the cited prior art disclose a system that includes these limitations or teach how to make such a system.

In the "Background of the Invention" *DiCiccio* discloses that prior art systems did use field of view data from sensors to add a line to video; however, these prior art systems do not disclose adding the line to one or more portions of the video that are not occluded and not adding the line to one or more portions of the video that are occluded, as recited in claim 38.

DiCiccio asserts that field of view sensors should not be used because they suffer from "jitter." (see *DiCiccio* at col. 1, lines 37-45). *DiCiccio* teaches that this jitter is "particularly objectionable during occlusion processing" Thus, *DiCiccio* proposes a system that is based on pattern recognition, rather than sensors. As such, *DiCiccio* teaches away from using field of view data from sensors to add a line to video.

Applicants assert that it is improper for the Examiner to pick and choose some features of the prior systems described in the Background section and other features described in the Detailed Description. These are two different systems (system in Background uses sensors, system in the Detailed Description uses pattern recognition). There is no disclosure of how to combine them and *DiCiccio* teaches away from combining them (see col. 1, line 48 – col. 2, line 65).

Therefore, Applicants assert that the cited prior art, alone or in combination, does not disclose "sensing field of view data for a camera using one or more field of view sensors that do not use image recognition ... determining said location's position in said video using said field of view data; and ... adding said line to one or more portions of said video that are not occluded and not adding said line to one or more portions of said video that are occluded " For these reasons, Applicants

assert that claim 38 is patentable over the cited prior art.

For the same reasons described above with respect to claim 38, Applicants assert that claim 39 is also patentable over the cited prior art.

C.   Claims 41-43

Claim 41 recites "determining said location's position in said video using a first step process that makes use of said field of view data; performing a second step process to refine said position's location in said video, said second step process is different than said first step process." On page 8 of the Office action dated June 29, 2005 the Examiner stated that the limitations of claim 41 are taught by *DiCicco* in the Abstract; at column 6, lines 15-67; and at column 2, lines 28-35. Applicants respectfully disagree. A review of these sections does not show a system that includes a first step process and a second step process, as recited in claim 41. Instead, the three cited portions of *DiCiccio* only teach a one step process, using pattern recognition. Should the Examiner maintain the rejection, Applicants respectfully request that the Examiner quote the language that shows the two step process.

Claim 41 also recites that the first step process makes use of field of view data that is sensed from "one or more field of view sensors that do not use image recognition." On page 9 of the Office Action, the Examiner states that "The field of view data is viewed by the Examiner as the captured video by the video camera in the current image." Applicant specifically challenges this conclusion. Claim 41 specifically states that the field of view data is from "one or more field of view sensors that do not use image recognition." Thus, the field of view data cannot by the captured video as recited by the Examiner because the captured video is not from "one or more field of view sensors that do not use image recognition" as recited by claim 41.

The Examiner also asserts that in the "Background of the Invention" *DiCiccio* discloses prior art systems which use field of view data from sensors to add a line to video. However, these prior art systems do not disclose the two step process of claim 41. Additionally, *DiCiccio* teaches away from combining the sensor approach of the prior systems with its pattern recognition system when

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DiCiccio states that the systems that use sensors suffer from "jitter" and are "particularly objectionable." (see *DiCiccio* at col. 1, lines 37-45).

For the reasons discussed above, Applicants assert that claim 41 is patentable over the cited prior art.

Claims 42 and 43 depend from claim 41 and, therefore, are patentable over the cited prior art for the same reasons as claim 41.

III.   Conclusion

Based on the above amendments and these remarks, reconsideration of all pending claims is respectfully requested. The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including October 26, 2005. The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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